

Date Mailed November 6, 2002

BEFORE THE

PUBLIC SERVICE COMMISSION OF WISCONSIN

Objection to Telephone Relay Services Assessment by DIECA
Communications, Inc. d/b/a Covad Communications Company

1635-RA-100

NOTICE OF PROCEEDING

THIS IS A PROCEEDING to consider the objection filed September 23, 2002, as supplemented with a letter dated October 7, 2002, by DIECA Communications, Inc. d/b/a Covad Communications Company to the telephone relay services assessment billed by the Commission under Wis. Stat. § 196.858. The company has objected to payment of \$3,203.00 billed by the Commission as the company's share of the cost of operating the Wisconsin Telephone Relay Service. After the collections are made under Wis. Stat. § 196.858, the funds are paid to the Wisconsin Department of Administration for the operation of the service. This assessment to the company is comprised of \$1,454.25 for operation of the service between July 1, 2001, and June 30, 2002 and \$1,748.75 for the advance portion of the assessment to operate the service between July 1, 2002, and June 30, 2003.

The company's objection is based on its contention that the definitions contained in Wis. Stat. § 196.858 do not provide the Commission the authority to include interstate digital subscriber line revenues (DSL) in determining revenues subject to the assessment. The company believes that the assessment is directed at local exchange and interexchange voice providers for recoupment of the costs of the telephone relay service, a voice service. Since the company provides no voice services, it believes it should be exempt from paying the assessment.

NOTICE IS GIVEN that the expenses incurred or to be incurred by the Commission which are reasonably attributable to such an investigation will be assessed against and collected from the applicant in accordance with the provisions of Wis. Stat. § 196.85 and Wis. Admin. Code ch. PSC 5.

This is not a contested case but the procedures for Class 1 proceedings (see Wis. Stat. ch. 227, subchapter III) will be followed.

The Commission does not discriminate on the basis of disability in the provision of programs, services, or employment. Any person with a disability who needs accommodations to participate in this proceeding or who needs to obtain this document in a different format should contact the docket coordinator listed below.

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Questions regarding this matter may be directed to docket coordinator Gordon O. Grant at (608) 267-9086.

Dated at Madison, Wisconsin, _____

By the Commission:

Lynda L. Dorr
Secretary to the Commission

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